



W.P.(MD)No.26838 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.11.2022

CORAM

THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.26838 of 2022

Jannath Beevi, W/o.Mohammed Abdullah

.. Petitioner

Versus

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Dindigul Division,
Nearby Dindigul Bus Stand,
Dindigul.

3.The Tahsildar,
Natham Taluk Office,
Natham,
Dindigul District.

.. Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to complete the enquiry on petitioner's representation dated 28.09.2022 and pass an order as directed by the first respondent, vide its Proceedings in O.Mu.No. 31022/2022/A3 dated 30.09.2022, within the stipulated time as fixed by this Court.

For Petitioner

:

Mr.C.Mayilvahana Rajendran



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For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

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ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the second respondent to complete the enquiry on her representation dated 28.09.2022 and pass an order as directed by the first respondent, vide its Proceedings in O.Mu.No.31022/2022/A3 dated 30.09.2022, within a time frame.

2. Heard Mr.C.Mayilvahan Rajendran, learned counsel appearing for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader, who takes notice for the respondents. By consent of the learned counsel appearing for the parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the learned counsel for the petitioner, the petitioner is the legal heir of her junior maternal aunt namely, Jamila Beevi. But, the third respondent issued a legal heirship certificate in favour of one Kadhar Batcha Ravuthar without conducting proper enquiry. Hence, the petitioner sent a representation dated 28.09.2022, to the first respondent to take necessary action to cancel the said legal heirship certificate and issue fresh legal heirship



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certificate in her favour. The first respondent, vide his communication, dated 30.09.2022, forwarded the same to the second respondent to conduct enquiry and pass an order. However, so far, no order has been passed. Hence, the petitioner has filed the present Writ Petition for the relief stated supra.

4. The learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that the enquiry would be conducted and appropriate orders would be passed within a time frame to be fixed by this Court.

5. Recording the aforesaid submission made by the learned Additional Government Pleader appearing for the respondents, this Court, without going into the merits of the case, directs the second respondent to conduct an enquiry and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to all the necessary parties concerned, within a period of 12 weeks from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of with the above direction. No costs.

Index : Yes/No
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V.BHAVANI SUBBAROYAN, J.

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Order made in
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